Forest Land-Yavatmal

Diversion of 0.07 ha. Forest land under Forest (Conservation) Act, 1980 for laying of underground Optical Fiber Cable within RoW of SH-319, Wani to Kayar, in District Yavatmal in the State of Maharashtra.

Government of Maharashtra
Revenue and Forest Department
Government Order No.: FLD-3223/CR.182/F-10
Mantralaya, Mumbai-400 032
Date:- 23.06.2023

Reference:-

Additional Principal Chief Conservator of Forests & Nodal Officer, MS, Nagpur Letter No. Desk-17/ Nodal / Yavatmal/(29)/ID-425147/584/2023-24, dt. 25.05.2023.

Preamble:-

Additional Principal Chief Conservator of Forests & Nodal Officer, MS, Nagpur has submitted a proposal for diversion of 0.07 ha. Forest land for laying of underground Optical Fiber Cable of Bharat Sanchar Nigam Limited, Yavatmal within RoW of SH-319, Wani to Kayar, in District Yavatmal in the State of Maharashtra.

Order:-

In exercise of powers under general approval given by MoEF&CC, Govt. of India vide Handbook of FCA Guidelines-2019, Chapter 4 (para-4.2), Government of Maharashtra is pleased to grant **'In-Principle'** approval to the diversion of 0.07 ha. Forest Land under section-2 of the Forest (Conservation) Act, 1980 for laying of underground Optical Fiber Cable of Bharat Sanchar Nigam Limited, Yavatmal within RoW of SH-319, Wani to Kayar, in District Yavatmal in the State of Maharashtra.

The details of Forest Land proposed for diversion are as under:-

Item	**Name of Village**	**Forest Land Required**					
		Survey No.	**Comp. No.**	**Length x Width (m)**	**Sq. Mt**	**Area in Ha.**	**Legal Status of Land**
Diversion of 0.07 Forest Land for laying optical fibre cable of Bharat Sanchar Nigam LTD. Passing through the existing Row of SH-319 from Wani to Kayar in District Yavatmal	Petur, Tal. Wani, Dist. Yavatmal	106, 109	C-41	650 X 0.50	353	0.0325	Reserved Forest
	Kayar, Tal. Wani, Dist. Yavatmal	75	C-42-B	750 X 0.50	375	0.0375	
Total Forest Area (in ha.)					700	**0.07**	

2. **This 'In-principle' approval is issued subject to the following conditions:-**

1) The legal status of the land shall remain unchanged.
2) User Agency shall defray the cost of plantation (including ten years maintenance) of 100 trees shall be levied from the User Agency towards Compensatory Afforestation.

As far as possible, a mixture of local indigenous species along with 10% RET species of Yavatmal District shall be planted and monoculture of any species may be avoided. Details of land proposed for Plantation (Record of Rights & KML File), shall be submitted before Stage-II/Final approval.

3) The Optical Fiber Cable Line will be laid within maximum size of the trench of 2.00 meters depth & 0.5 meter width with cable line under the PVC Pipeline.
4) If bank guarantee is not submitted with concern Road Authority (NHAI/ MSRDC/PWD/ZP), the agency shall submit a bank guarantee at the rate of Rs.50/- per running meter and an undertaking to that effect shall also be submitted. If the agency fails to reclaim the land to the satisfaction of concerned Deputy Conservator of Forests, the cost for reclamation will be covered from the bank guarantee.
5) If the cable is going to be laid in the formation width of the road, then additional charges in form of bank guarantee shall be given at the rate of Rs.35/- per running meter. Similarly for reclamation of side drain and for tarred portion, the guarantee will be at the rate of Rs.300/- per meter and Rs.750/- per meter respectively. An undertaking shall be obtained from the User Agency that it has agreed to make good any loss to Forest/ Environment while laying the cable in the forest area and during maintenance of the same in future.
6) For further maintenance of the project, the agency shall obtain permission from the concerned Deputy Conservator of Forests as and when required.
7) The forest land shall not be used for any purpose other than specified in the proposal.
8) No felling of trees shall be done during the implementation of project.
9) No new forest area beyond the Right of Way of existing road should be broken for laying Optical Fiber Cable.
10) The User Agency shall pay the cost of additional Net Present Value, if required in future.
11) No labour camp shall be established on the forest land.
12) Underground Optical Fiber Cable can be laid only outside the confines of the Protected Areas.
13) The Proposed work shall be carried out only during day time.
14) After completion of the project, User Agency will reclaim the area under RoW suitably.
15) The layout plan of the proposal shall not be changed without prior approval of the State Government.
16) This sanction is subject to the final clearance by the Department of Information & Technology for the project and concerned PWD authorities for the project.
17) The User Agency shall compensate the private owners of forest land if any, in accordance with the prevalent laws, rules & guidelines.
18) The User Agency shall obtain Environmental Clearance as per the provisions of the Environment (Protection) Act, 1986, if applicable.

19) All other conditions as may be mandatory under relevant Acts, Rules and Guidelines shall be complied by the User Agency.
20) All the conditions stipulated by the Forest Department shall be binding on User Agency.
21) The User Agency shall make good of any loss to Forest / Environment.
22) All necessary approvals required for the project as per the prevailing laws of the land would be obtained by User Agency.
23) Any breach of the conditions by the User Agency will be treated as violation of the provisions of the Forest (Conservation) Act, 1980.

3. This Government Order is available at the Government of Maharashtra's website www.maharashtra.gov.in with reference No. 202306231242302119. This Order has been signed digitally.

By order and in the name of the Governor of Maharashtra.

GANESH TUKARAM JADHAO

Digitally signed by GANESH TUKARAM JADHAO
DN: c=IN, o=GOVERNMENT OF MAHARASHTRA, ou=REVENUE AND FOREST DEPARTMENT, postalCode=400032, st=Maharashtra, 2.5.4.20=0078f58512d3ac01315bbbfa4b473ed7729dd2d31644106e2966ab9ee6e92d7d, pseudonym=9511E397949CD516110AD2C5719C064356E8E6EF, serialNumber=6FEEDE606678D569A76B842319BD1C2969AA85BBA5CDCCEE147249F17965E8BB, cn=GANESH TUKARAM JADHAO
Date: 2023.06.23 12:43:16 +05'30'

(Ganesh Jadhao)
Under Secretary to the Government of Maharashtra

Copy to:-

1. Secretary, Ministry of Environment, Forests & Climate Change, Government of India, New Delhi
2. Regional Officer (Central), Integrated Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Nagpur.
3. Principal Chief Conservator of Forests (Head of Forest Force), Maharashtra State, Nagpur.
4. Additional Principal Chief Conservator of Forests & Nodal Officer, M.S., Nagpur
5. Principal Chief Conservator of Forests & CEO (Maha-CAMPA), M.S., Nagpur
6. Additional Principal Chief Conservator of Forests (Conservation), M.S., Nagpur
7. Collector, Yavatmal.
8. Chief Executive Officer, Zilha Parishad, Yavatmal.
9. Chief Conservator of Forests (T), Yavatmal.
10. Deputy Conservator of Forests, Pandharkawada.
11. Divisional Engineer, Bharat Sanchar Nigam Limited, Yavatmal.
12. Select File (F-10).